

Notice of Decision

Proposal File #: SP-07-0002 Zoning: R-1

Proposal: Vintage Short Plat

Proposal Description: Preliminary Short Plat to subdivide 5.20 acres into 2 lots for a utility facility and existing condominium development

Site Address: 400 N. Timberfield Ln.

General Location: N. of Valleyway Ave. / Lakeside

Owner: Sullivan Homes, Inc. (Tracy Carter) Phone: 509-789-8309

Contact: Liberty Lake Sewer & Water District (Lee Mellish) Phone: 509-922-9016

Application Date: 8/8/07 Determination of Completeness Issued: 8/17/07

Notice of Application Issued: 8/29/07 Comment Deadline: 4pm, 9/12/07

Notice of Decision Issued: 10/18/07 Appeal Closing Date: 4pm, 11/1/07

CITY OF LIBERTY LAKE PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT DECISION:

- ☐ Approved
- ☒ Approved w/ Conditions
The above-mentioned proposal is approved with the following conditions: (see attachments)
- ☐ Disapproved
The above-mentioned project has been denied due to the following: _____

SEPA THRESHOLD DETERMINATION: This project does not require environmental review. Due to the number of lots being subdivided, this project is exempt from SEPA requirements under City Development Code Article 10-6A, Environmental Ordinance.

DECISION APPEAL PROCEDURE: Interested parties with standing, as defined in RCW 36.70C, have the opportunity to appeal a final decision on a project permit. The decision may be appealed within fourteen (14) calendar days from the date the decision is rendered by delivering a notice of appeal to P&CD by mail or personal delivery. The notice of appeal must be received by 4:00 p.m. on the last day of the appeal period, unless the last day of the appeal period falls on a weekend or holiday, the notice of appeal shall then be due on the following business day. Appeal requests shall contain all information and items required in the City Development Code Section 10-4B-4, subsection H. An 'open record' appeal to the Hearing Examiner is available on many Type I project permits. The appeal procedure shall be as outlined in the City Development Code Section 10-4G-2, subsection H for Appeals of Administrative Interpretations by the P&CD Director.

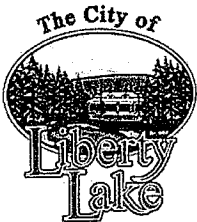
This Notice of Decision has been provided to the project applicant, the Spokane County Assessor, and to any person who, prior to the rendering of the decision, requested notice of the decision or submitted substantive comments on the application.

The complete record in this matter, including this decision, is on file during the appeal period with the review authority listed below. Pursuant to RCW 36.70B.130, affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

A Notice of Decision was also printed in the 10/25/07 edition of the Liberty Lake Splash.

REVIEW AUTHORITY:

PROJECT COORDINATOR: Amanda Tainio, Senior Planner



Planning & Community Development Department
22710 E. Country Vista Blvd., Liberty Lake, WA 99019
Phone: (509) 755-6707, Fax: (509) 755-6713, www.libertylakewa.gov

Date Issued: October 18, 2007

Signature: Amanda Tainio

**BEFORE THE CITY OF LIBERTY LAKE
PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT**

**IN THE MATTER OF SHORT PLAT NO. SP-07-0002
(VINTAGE SHORT PLAT)**

)
) **FINDINGS OF FACT,**
) **PLAT CONCLUSIONS,**
) **AND DECISION**
)

THIS MATTER, an application for short subdivision of land from Sullivan Homes, Inc. and the Liberty Lake Sewer & Water District, has been received and was decided upon on October 18, 2007 pursuant to the City Development Code, Article 10-4D, Land Divisions and Boundary Line Adjustments.

FINDINGS OF FACT AND CONCLUSIONS

1. The proposal is to subdivide 5.20 acres into 2 lots for a pre-existing utility facility and existing condominium development.
2. The proposal is located N. of Valleyway Ave. / Lakeside in the Southeast Quarter of Section 14, Township 25 North, Range 45 E.W.M., Liberty Lake, Washington. Parcel No. 55144.0901.
3. The zoning of the property is R-1 (Single Family Residential). Pursuant to the Revised Code of Washington (RCW) 58.17.195, this proposal generally conforms to the requirements of the R-1 (Single Family Residential) Zone.
4. The City of Liberty Lake Comprehensive Plan Land Use Map designates the property as Single Family Residential.
5. Surrounding uses are primarily residential with a golf course west of the subject site. The surrounding parcels are currently zoned R-1 (Single Family Residential) and O (Open Space/ Recreation).
6. The required public notice was provided for this proposal and agencies having a potential interest in the project were notified and recommendations solicited.
7. No written comments were received from members of the public or adjacent property owners. Agency comments were received from Spokane Clean Air, CVSD, FD #1 and Qwest.
8. The Central Valley School District has expressed concern over existing capacity in the eastern portion of the district.
9. The proposed site lies within the "Harvard Road Mitigation Area."
10. The proposed site is located inside the Spokane Transit Authority (STA) Service Area.
11. The proposed Short Plat will be served by a public water and sewer system.
12. Recognizing the recommended conditions and City of Liberty Lake development standards, the proposed short plat makes appropriate provisions for the public health, safety, and general welfare and that the public use and interest will be served by platting the short subdivision.

13. The short subdivision proposal is consistent with RCW 58.17 and the City of Liberty Lake Development Code, Article 10-4D, Land Divisions and Boundary Line Adjustments, promoting the public health, safety, and general welfare in accordance with standards established by the State and City. The City of Liberty Lake Planning & Community Development Department has considered the provision of adequate public facilities as cited in RCW 58.17.110 (2). More specifically, as applicable:
 - a. open spaces
 - b. drainage ways
 - c. public and/or private right-of-ways
 - d. transit
 - e. potable water
 - f. sanitary waste disposal
 - g. parks and recreation facilities
 - h. playgrounds
 - i. schools and school grounds
 - j. sidewalks
14. The site does not contain any wetlands and does not lie within a flood zone. There are steep slopes on the site.
15. The short plat is exempt from environmental review under the State Environmental Policy Act pursuant to WAC 197-11-800 (6) (a) and the City of Liberty Lake Development Code, Article 10-6A, Environmental Ordinance.

DECISION

Based upon the above noted Findings of Fact and Conclusions, Short Plat Application SP-07-0002 is hereby **APPROVED** for five (5) years, specifically to October 18, 2012 and subject to conditions noted below. This decision is final unless appealed in writing consistent with adopted appeal procedures.

CONDITIONS OF APPROVAL

All the below conditions imposed shall be binding on the "Applicant," which term shall include the owner or owners of the property, heirs, assigns and successors.

1. The proposal shall comply with the R-1 (Single Family Residential) zone or the zoning designation as amended, the City Development Code, as amended, and the City Municipal Code or City Ordinance, as amended.
2. The final short plat shall be designed substantially in conformance with the preliminary short plat of record. No increase of density or number of lots shall occur without a change of condition or subdivision application modification request submittal and approval.
3. The preliminary short plat is given conditional approval for five (5) years, specifically to October 18, 2012. Application(s) for extension of time shall be processed under the provisions of the City of Liberty Lake Development Code, Article 10-4D-3, Subsection D Modifications and Extensions. Upon written request by the applicant and payment of the required fee, the City of Liberty Lake, Director of Planning & Community Development, may grant one extension of the preliminary short plat approval period not to exceed one year; provided that:
 - a. Any changes to the preliminary short plat follow the procedures in Article 10-4F of the City Development Code;
 - b. The applicant has submitted written intent to file a final short plat within the one-year extension period;

- c. An extension of time will not prevent the lawful development of abutting properties;
 - d. There have been no changes to the applicable Code provisions on which the approval was based. If such changes have occurred, a new preliminary short plat application shall be required; and
 - e. The extension request is made before expiration of the original approved plan.
- 4. The applicant shall submit to the City of Liberty Lake Planning & Community Development Department Director/designee the proposed final short plat for review, to ensure compliance with these Findings and Conditions of Approval, and City Development Code, Article 10-4D, Land Divisions and Boundary Line Adjustments, prior to recording the final short plat.
- 5. A survey is required of the subject property prior to filing the final short plat.
- 6. Appropriate street names and addresses, as assigned by the City of Liberty Lake Planning & Community Development Department, shall be indicated on the final short plat map, prior to map recording.
- 7. Two (2) current Plat Certificates of Title shall be furnished to the City of Liberty Lake Planning & Community Development Department with the final short plat submittal and the short plat file number must be indicated on the plat certificate cover sheet.
- 8. Final short plat submittals shall contain all the required information and items identified in the City Development Code, Section 10-4D-7, Submissions and Approval Criteria: Final Plat, BSP, and Short Plat.
- 9. The following statement shall be placed in the dedicatory language of the final short plat:

"Setbacks shall be determined at the time building permits are requested unless these setbacks are specifically drafted on this final short plat. The setbacks indicated on this subdivision may be varied from if proper zoning or variance approvals are obtained."
- 10. The applicant should contact the Planning & Community Development Department at the earliest possible stage in order to be informed of code requirements administered/enforced as authorized by the State Building Code Act. Design/ development concerns include addressing, fire apparatus access roads, fire hydrant flow, approved water systems, building accessibility, construction type, occupancy classification, existing exterior wall protection, and energy code requirements.
- 11. Participation in the "Harvard Road Mitigation Plan", as amended and any other impact fees, such as that for schools, parks, etc., approved by the City Council, consistent with the City of Liberty Lake's Comprehensive Plan, shall be paid upon issuance of building permits for this project.
- 12. Construction within all proposed public/private roads shall be performed under the direct supervision of a licensed engineer/surveyor, who shall furnish the City with "Record Drawings" and certification which states the following, "I have reviewed the construction and to my knowledge find it to be in substantial conformance with approved certified plans and Standard Specifications except as noted."
- 13. No construction work is to be performed within the existing or proposed public right-of-way until plans have been accepted and a permit has been issued by the City. All work is subject to inspection and approval by the City.

14. All construction within the existing or proposed right-of-way is to be completed prior to filing the final short plat or a bond in the amount estimated and certified by a Professional Engineer, licensed in the State of Washington to cover the cost of construction of improvements shall be provided to the City. Construction certification, "Record Drawings" and monumentation of the street centerlines shall be filed with the City.
15. The drainage ditch along Valleyway Ave. must be filled with rip rap or like material to the level of the street.
16. Approach Permits are required for any access to the City of Liberty Lake street system.
17. Parking on public streets shall only be permitted when the location is reviewed and approved by the City Planning & Community Development Department through a project site plan approval.
18. A Professional Engineer, licensed in the State of Washington, shall submit final street and drainage plans, a drainage report, and calculations that conform to the Spokane County Standards for Road and Sewer Construction and the Guidelines for Stormwater Management, as adopted by the City of Liberty Lake, the City Development Code, and all standards and laws that are applicable to this project if street and/or drainage improvements are required. Any final street and drainage plans and a drainage report shall receive the City's acceptance prior to release of a construction or building permit or approval of the final short plat.
19. Any applicable stormwater management systems and streets for this short plat shall be constructed and certified to be constructed in accordance with the accepted street and drainage plans, or all the required improvements must be bonded for in accordance with City regulations, prior to the recording of the final short plat. Record drawings and all construction documentation shall be submitted with the proper certification statement.
20. Before the street and stormwater plans are submitted to the City of Liberty Lake for review and acceptance, a Design Deviation must be submitted to the City for any non-standard elements of the project plans. The sponsor shall acquire approval of the Design Deviation from the City before construction plans are submitted for review. The Design Deviation request must include adequate engineering justification and drainage calculations, and should include any other agency approvals that may be necessary for the proposed deviation to work as designed. The Design Deviation request shall include a description of maintenance responsibilities. The applicant shall make provision for the perpetual maintenance of any drainage facilities located outside of the public right-of-way. The City may deny a Design Deviation or may impose conditions of approval on the Design Deviation.
21. The following statements shall be placed in the dedicatory language of the final short plat:

"The owners or successors in interest agree to join in any City-approved stormwater management program and to pay such rates and charges as may be fixed through public hearings for service or benefit obtained by the planning, design, constructing, maintaining, or operation of stormwater control facilities.

The owners or successors in interest also agree to join in any City-approved local improvement district for street improvements and to pay such rates and charges as may be fixed through public hearings for service or benefit obtained by the planning, design, constructing, maintaining, or operation of streets."
22. The applicant should be advised that underground or overhead utilities may exist that affect the applicant's property, including property to be dedicated or set aside for future

acquisition. The City of Liberty Lake will assume no financial obligation for adjustments or relocation regarding these utilities. The applicant should check with the applicable utilities and the City to determine whether the applicant or utility is responsible for adjustment or relocation costs and to make arrangements for any necessary work.

23. Appropriate utility and pipe line easements shall be indicated on copies of the proposed final short plat. Approval of easements by appropriate utility companies shall be received with the submittal of the final short plat.
 - a. A 10 foot wide utility easement strip is required along the boundaries of all public and private streets and drives.
24. The following statement shall be placed in the dedicatory language of the final short plat:

"Utility easements shown on the herein described plat are hereby dedicated for the use of serving utility companies for the construction, reconstruction, maintenance, protection, inspection, and operation of their respective facilities, together with the right to prohibit changes in grade that will reduce the existing coverage over installed underground facilities and the right to trim and/or remove trees, bushes, landscaping, and to prohibit structures that may interfere with the construction, reconstruction, reliability, maintenance, and safe operation of same."
25. The following statement shall be placed in the dedicatory language of the final short plat:

"A public sewer system will be made available for the short plat, and individual services will be provided to each lot prior to sale. Use of individual on-site disposal systems shall not be authorized. The developer of the proposal shall bear the cost of providing the required services to the lots."
26. Applicant shall submit expressly to the City "under separate cover", only those plan sheets showing sewer plans and specifications for the public sewer connections and facilities for review and approval. Commercial developments shall submit historical and or estimated water usage as part of the sewer plan submittal.
27. Sewer plans acceptable to the City shall be submitted prior to the finalization of the project.
28. Design considerations and participation in a future water reuse system, upon approval by the City Council, shall be required at time of sewer and water infrastructure installation
29. Any water service for this project shall be provided in accordance with the Coordinated Water System Plan for Spokane County, as amended. Prior to filing the final short plat, the sponsor shall present evidence that the short plat lies within the recorded service area of the water system proposed to serve the short plat.
30. The following statement shall be placed in the dedicatory language of the final short plat:

"A public water system will be made available for the short plat and individual service will be provided to each lot prior to sale. The use of private wells or water systems is prohibited. The developer of the proposal shall bear the cost of providing the required services to the lots."
31. The following statements shall be placed in the dedicatory language of the final short plat:

"The public water system, pursuant to the Water Plan approved by the City, Spokane County Fire Protection District #1, and the water purveyor, shall be installed within this short subdivision and the applicant shall provide for individual domestic water

service as well as fire protection to each lot prior to sale of each lot and prior to issuance of a building permit for each lot."

32. Prior to filing the final short plat, the sponsor shall demonstrate to the satisfaction of the Spokane Regional Health District that an adequate and potable water supply is available to each lot of the short plat.
32. The requirements for Spokane Clean Air and the Washington State Department of Ecology shall be met at the time of project construction.

Approved this 18th day of October, 2007.



Doug Smith, Director
Planning & Community Development

DECISION APPEAL PROCEDURE: Interested parties with standing, as defined in RCW 36.70C, have the opportunity to appeal this decision through an 'open record' appeal to the City Hearing Examiner. The decision may be appealed within fourteen (14) calendar days from the date the decision is rendered by delivering a notice of appeal to P&CD by mail or personal delivery. The notice of appeal must be received by 4:00 p.m. on the last day of the appeal period, unless the last day of the appeal period falls on a weekend or holiday, the notice of appeal shall then be due on the following business day. Appeal requests shall contain all information and items required in the City Development Code Section 10-4B-4, subsection H. The appeal procedure shall be as outlined in the City Development Code Section 10-4G-2, subsection H for Appeals of Administrative Interpretations by the P&CD Director.

If you have any questions, please call the Planning & Community Development Department at (509) 755-6706.

cc: City Engineer
Fire District #1
Dept. of Transportation - Spokane
Spokane Regional Clean Air Agency
Avista Utilities
QWEST
Liberty Lake Sewer District
Community Cable
Spectrum Fiber Network
Central Valley School District